

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

JANE DOE 1, *et al*,

Plaintiffs,

v.

BAYLOR UNIVERSITY,

Defendant.

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Civil Action No. 6:16-CV-00173-RP-AWA

Consolidated with

6:17-CV-228-RP-AWA

6:17-CV-236-RP-AWA

**AGREEMENT BETWEEN PLAINTIFFS AND
KEN STARR REGARDING STARR'S ABILITY TO
DESIGNATE MATERIAL AS CONFIDENTIAL**

Plaintiffs issued a subpoena to Ken Starr (hereinafter "Starr"). Counsel for Plaintiffs and Starr have held several conferences to work through issues related to the subpoena. In the interest of trying to avoid or limit any issues that might need involvement by the Court, the parties have reached the agreement below, preliminary and without prejudice to Plaintiffs, Baylor, or Starr seeking to adjust the terms herein.

1. Starr has indicated that he holds documents responsive to the subpoena that he wishes to designate as "Confidential", including some for reasons other than those provided in the Protective Orders entered by the Court (Dkts. 8, 155, 156).
2. So as to not trouble the Court with this issue at the present time, without prejudice to anyone's rights, Plaintiffs, Baylor, and Starr agree for Starr to produce materials he believes should be subject to protection, marking those materials as "Confidential" or as "Attorneys Eyes Only," as deemed appropriate.
3. If any party chooses to challenge these designations, they agree to use the procedure established in the Confidentiality and Protective Order (Section 12 of Dkt. 156).

4. Because this accommodation is being made solely to avoid troubling the Court with this matter at the present time, this Agreement shall not be considered a waiver of either side's position regarding what is and what is not subject to protection and designation by Starr in this case.

By signature below, counsel for Plaintiffs, Baylor, and Starr agree to the foregoing.

Respectfully submitted,

**SOMMERMAN, MCCAFFITY, QUESADA & GEISLER,
L.L.P.**

/s/ Laura Benitez Geisler

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